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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORENZO LEE,
JEFFREY MCCOY,
JESSE LOPEZ, III,
TIMOTHY PEOPLES,
EVAN MARTINEZ-DIAZ,

Defendants.

No. CR19-226 RS

**STIPULATION TO CONTINUE MAY 11, 2021
STATUS CONFERENCE TO JUNE 15, 2021
AND TO EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT; ORDER**

The parties appeared before the Court on March 30, 2021 for a status conference. Defense counsel for Lorenzo Lee, Gail Shifman, notified the Court that she was scheduled for surgery and would not be able to work for a period during her recovery. Defense counsel has only recently returned to work, is not yet working full-time, and needs additional time to review the discovery, including wiretap materials, in this case, and to meet with, and discuss the discovery with her client. The parties therefore stipulate and request that the Court continue the status conference set for May 11, 2021 to June 15, 2021 to allow for effective preparation of counsel.

The parties stipulate and agree that:

- 1 1. The status conference set for May 11, 2021 should be continued to June 15, 2021 to provide
2 time for defense counsel to review discovery.
- 3 2. The time from May 11, 2021 through June 15, 2021 should be excluded under the Speedy
4 Trial Act because failure to grant the requested continuance would deny defense counsel the
5 reasonable time necessary for effective preparation, taking into account the exercise of due
6 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by granting the
7 requested continuance outweigh the best interests of the public and the defendants in a
8 speedy trial and in the prompt disposition of criminal cases. *See id.* § 3161(h)(7)(A).

9 IT IS SO STIPULATED.

10 DATED: May 10, 2021

Respectfully submitted,

11 STEPHANIE M. HINDS
12 Acting United States Attorney

13 /s/
DANIEL PASTOR
14 Assistant United States Attorney

15 DATED: May 10, 2021

16 /s/
GAIL SHIFMAN
Counsel for Defendant Lorenzo Lee

17
18 DATED: May 10, 2021

19 /s/
ERICK L. GUZMAN
Counsel for Defendant Jesse Lopez, III

20
21 DATED: May 10, 2021

22 /s/
KENNETH WINE
Counsel for Defendant Jeffrey McCoy

23 DATED: May 10, 2021

24 /s/
KATHY LYNN TROSCLAIR
Counsel for Defendant Timothy Peoples

25
26 DATED: May 10, 2021

27 /s/
ARTURO HERNANDEZ
Counsel for Defendant Evan Martinez-Diaz

1 **ORDER**

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act)
4 for the period from May 11, 2021 through June 15, 2021, is warranted because failure to grant the
5 requested exclusion would unreasonably deny defense counsel the reasonable time necessary for
6 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
7 The Court further finds that the ends of justice served by granting the requested continuance outweigh
8 the best interests of the public and the defendants in a speedy trial and in the prompt disposition of
9 criminal cases. 18 U.S.C. § 3161(h)(7)(A).

10 The status conference set for May 11, 2021 is rescheduled to June 15, 2021 at 2:30 p.m.

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13 DATED: May 10, 2021

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15 HON. RICHARD SEEBORG
16 Chief United States District Judge
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